

REMARKS

Claims 1- 9 have been previously canceled. No new claims have been added or canceled by way of this response. Claims 10, 13, 19, and 24 are currently amended. Thus, claims 10-26 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Objections to the Claims:

Examiner has indicated that the Applicant uses the term cooling medium in claim 10, but refers to a cooling medium stream in claim 11 where the cooling medium will have a velocity. The Examiner states that the Applicant needs to maintain consistent terminology throughout the claims. Applicant respectfully notes that claim 10 uses both terms, cooling medium (line 6), referring to a cooling medium, and a cooling medium stream (lines 7 and 8) referring to a flow of the cooling medium. Thus, using the term cooling medium stream in claim 11 adheres to antecedent basis and maintains consistent terminology. In addition, claim 11 uses the term “a flow velocity of the cooling medium stream” to refer to the velocity of the cooling medium stream. Thus, Applicant respectfully requests the Examiner to withdraw the objections.

Response to Rejections Under Section 112:

Claim 13 stands rejected under 35 U.S.C 112 second paragraph. Applicant has amended claim 13 to overcome the rejection and respectfully requests the Examiner to withdraw the 112 rejection.

Response to Rejections Under Section 102:

Claims 10-26 stand rejected under 35 U.S.C. 102(b) as being anticipated by Senior US 6,122,917.

Applicant has amended claims 10, 19, and 20 to overcome the rejection. The Examiner equates Applicant's flow element with Senior's baffle. The shape of the baffle is indicated in Senior's Figure 4. Applicant has amended the claims to clearly state that the longer side of the flow element abuts the combustion chamber wall. Senior's baffle protrudes into the cooling

medium stream with the shorter side abutting the combustion chamber wall and in addition, the baffle has a curved surface where Applicant's flow element does not.

In addition, the result of the cooling medium stream flowing past the flow element is different in both cases as well. Senior's baffles causes (column 5 lines 2-5):

an oblique turbulent impingement of the jets J on the combustor wall, followed by cross-flow of coolant air along the surface of the combustor wall.

Applicant's flow element causes the flow velocity of the cooling medium stream to increase as the stream flows past the flow element.

In view of the above, claims 10, 19, and 20 are not anticipated by Senior and are thus patentable subject matter. Furthermore, the dependent claims 11-18 are also patentable based on their dependence from 10 as well as based on their own merits. Similarly, dependent claims 21-26 are also patentable based on their dependence from 20 as well as based on their own merits. Therefore, Applicant respectfully requests that the Examiner withdraw the Section 102 rejections.

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: April 30, 2010

By: Janet D. Hood

Janet D. Hood
Registration No. 61,142
(407) 736-4234

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830